

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

VIRTAMOVE CORP.,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

Civil Action No.: 7:24-cv-00033-DC-DTG

JOINT MOTION FOR ENTRY OF INTERIM PROTECTIVE ORDER

Defendant Google LLC (“Google”) and Plaintiff VirtaMove Corp. (“VirtaMove”), by and through counsel, jointly move this Court for entry of an Interim Protective Order.

On July 30, 2024, pursuant to Section III of this Court’s Standing Order Governing Patent Proceedings, VirtaMove served initial sets of venue discovery requests upon Google. On August 1, 2024, Google served initial sets of venue discovery requests upon VirtaMove. By September 10, 2024, Google must produce “technical documents...sufficient to show the operation of the accused product(s).” Dkt. 34. The parties anticipate that their responses to this discovery and other obligations under the case schedule will soon require them to produce confidential documents and information.

Pursuant to Rules 26 and 16 of the Federal Rules of Civil Procedure, the Parties are negotiating a protective order (“Protective Order”) to protect the confidentiality and other rights in proprietary, and confidential materials that they expect will be exchanged in discovery. Because the Protective Order must cover many complex issues, including the inspection of highly confidential source code, the parties may not be able to complete their negotiation and/or entry of the Protective Order prior to these upcoming deadlines.

The parties wish to move discovery forward in the interim and agree that for certain classes of materials they will produce those materials in advance of the entry of the Protective Order with the entry of a simplified Interim Protective Order. The entry of an Interim Protective Order is consistent with the Interim Protective Order adopted in Patent Cases in WDTX and will allow the parties to secure the confidentiality of certain materials, avoid delays in the production of certain materials, and allow discovery to proceed more efficiently. The parties further agree specifically that no party will be required to produce computer source code until after a further Protective Order is entered by the Court.

Accordingly, the parties respectfully request that the Court enter attached the Interim Protective Order, which has been agreed to by the parties. The proposed Interim Protective Order will allow the production of certain materials between the parties and confirms that those materials will not be shared beyond outside attorney(s) of record in this case and the employees of such outside attorneys(s).

DATED: August 7, 2024

Respectfully submitted,

/s/ Peter Tong

Reza Mirzaie (CA SBN 246953)
rmirzaie@raklaw.com
Marc A. Fenster (CA SBN 181067)
mfenster@raklaw.com
Neil A. Rubin (CA SBN 250761)
nrubin@raklaw.com
Amy E. Hayden (CA SBN 287026)
ahayden@raklaw.com
Christian W. Conkle (CA SBN 306374)
cconkle@raklaw.com
Jonathan Ma (CA SBN 312773)
jma@raklaw.com

RUSS AUGUST & KABAT
12424 Wilshire Boulevard, 12th Floor
Los Angeles, CA 90025
Telephone: (310) 826-7474

Qi (Peter) Tong (TX SBN 24119042)
ptong@raklaw.com

RUSS AUGUST & KABAT
4925 Greenville Ave, Suite 200
Dallas, TX 75206

Attorneys for Plaintiff VirtaMove, Corp.

DATED: August 7, 2024

Respectfully submitted,

/s/ Deepa Acharya

David A. Perlson (admitted *pro hac vice*)
davidperlson@quinnemanuel.com
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
50 California Street, 22nd Floor
San Francisco, California 94111-4788
Telephone: (415) 875-6600
Fax: (415) 875-6700

Deepa Acharya
deepaacharya@quinnemanuel.com
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
1300 I Street NW, Suite 900
Washington, D.C. 20005
Telephone: (202) 538-8000
Fax: (202) 538-8100

Katharine Lee Carmona (TX SBN 00787399)
kcarmona@jw.com
JACKSON WALKER L.L.P.
100 Congress Avenue, Suite 1100
Austin, Texas 78701
(512) 236-2000
(512) 236-2002 (facsimile)

Erica Benites Giese (TX SBN 24036212)
egiese@jw.com
JACKSON WALKER L.L.P.
1900 Broadway, Suite 1200
San Antonio, Texas 78215
(210) 978-7700
(210) 978-7790 (facsimile)

Nathaniel St. Clair, II (TX SBN 24071564)
nstclair@jw.com
JACKSON WALKER L.L.P.
2323 Ross Avenue, Suite 600
Dallas, Texas 75201
(214) 953-6000
(214) 953-5822 (facsimile)

Attorneys for Defendant Google LLC.

CERTIFICATE OF SERVICE

Pursuant to the Federal Rules of Civil Procedure and Local Rule CV-5, I hereby certify that, on August 7, 2024, I electronically filed the foregoing document using the CM/ECF system which will send notification of such filing to counsel for all parties of record.

/s/ Deepa Acharya